

1  
2  
3  
4  
5  
6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CALIFORNIA DEPARTMENT OF  
11 TOXIC SUBSTANCES CONTROL,

12 Plaintiff,

No. CIV S-02-2389 LKK DAD

13 v.

14 PAYLESS CLEANERS, et al.,

15 Defendants.

ORDER

16 \_\_\_\_\_/  
17 AND RELATED CROSS-CLAIMS.  
18 \_\_\_\_\_/

18 This matter came before the court on November 9, 2007, for hearing of the motion  
19 to compel brought by defendants and cross-claimants 5th and Ivy, a general partnership, and 427  
20 Ivy, a limited partnership, against defendants and cross-defendants Betty Rollag, Randall Rollag,  
21 and Tami Rollag. James H. Colopy, Esq. and Mathew J. Swain, Esq. appeared telephonically for  
22 the moving parties. Jonz Norine, Esq. appeared for the opposing parties. The court considered  
23 all written materials submitted in connection with the motion and heard oral argument from the  
24 parties.

25 /////

26 /////

1 For the reasons stated on the record, IT IS ORDERED that:

2 1. The amended motion to compel, docketed as # 380, filed by defendants and  
3 cross-claimants 5th and Ivy and 427 Ivy (the Partnerships) on October 22, 2007 is granted;

4 2. Defendants and cross-defendants Betty Rollag, Randall Rollag, and Tami  
5 Rollag shall serve written responses, without objection, to the Partnerships' First Request for  
6 Production of Documents on or before December 1, 2007; the written responses shall be  
7 accompanied by all responsive documents not previously produced; and

8 3. The Partnerships' request for an award of monetary sanctions is denied.

9 DATED: November 9, 2007.

10   
11 \_\_\_\_\_  
12 DALE A. DROZD  
13 UNITED STATES MAGISTRATE JUDGE

14 DAD:kw  
15 Ddad1/orders.civil/californiatoxicsubstances2389.oah.mtc  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26